

REMARKS

The courtesies extended to applicant's representative during the interview on January 9, 2008, are acknowledged with appreciation. During the interview, arguments why the combination proposed by the Examiner in the latest Office Action would not be made and, if made, would not render the claims obvious were presented. These arguments are repeated below.

In the Office Action of October 22, 2007, the Examiner rejected claims 1-12, 21 and 23 and indicated that claim 22 container allowable subject matter. The rejections were based on a combination of US 6,171,289 (Millot et al.) In view of US 6,723,040(Brady), either alone or with tertiary references. The Examiner indicated that it would have been obvious to use the plug of Brady with the pad of Millot et al.

Millot discloses a pad 9 having a central aperture 8 overlying a stoma 4, as best seen in Figure 1. An ostomy bag 2 is adhesively sealed to the top surface of the pad 9. Concentric conductors 15, 16 extend from alarm 19. The conductors have electrodes 17, 18. The conductors and electrodes provide a monitoring system for the effectiveness of the adhesive seal between the bag 2 and pad 9. The conductivity of the adhesive composition is measured between the two sets of microelectrodes 17, 18. As the adhesive composition becomes charged with wetness, the adhesive power of the composition decreases and there is an increase in the conductivity. The increase in the conductivity is detected by the alarm. In the rejection, the Examiner stated it would have been obvious to replace the bag 2 with a bowel probe disclosed by Brady. The probe of Brady has two cylindrical conductors 40, 42 leading to conductors.

As discussed in the interview, there are several arguments against this proposed combination. The first argument is

that one of ordinary skill in the art would not use a bowel probe with a stoma. A stoma, an artificial opening, would not withstand the repeated insertion and removal of any object, deterring one of ordinary skill in the art from considering a combination as proposed by the Examiner.

Secondly, assuming that the bag is replaced with a probe, the probe would extend through the aperture 8. This would obviate the need for the concentric conductors, as the probe would no longer be attached in the same manner as the bag. The attachment of the bag to the top surface of the pad by an adhesive necessitates the need for the conductors.

Lastly, the claims state that the first and second conductors extend from the aperture to the alarm. As the conductors 15, 16 are concentric to the aperture, they extend neither to or from the aperture. Given their function in measuring the adhesive composition strength, there would be no reason to have conductors extend to and from the aperture.

The structure of the third and fourth conductor, defined in claims 9 and 21-23, were discussed. The structure of these conductors is not disclosed in the prior art and is important to the functioning of the device. A new dependent claim, stating that the first and second conductors electrically connect to the third and fourth conductors, respectively, has been added. This claim merely further defines the invention.

If any issues remain and the Examiner believes a telephone conversation would resolve such issues, the Examiner is urged to contact the undersigned attorney.

Respectfully submitted,



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